**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**

**CRIMINAL APPELLATE JURISDICTION.**

**CRIMINAL APPLICATION NO.7809 OF 2005**

**WITH**

**CRIMINAL APPLICATION NO.6548 OF 2005**

Deelip Laxman Phunde : Applicant

versus

The State of Maharashtra : Respondent.

Mr.M.R.Jhakde for the applicant.

Mr.Rajesh More, APP, for the State.

**CORAM : V.M.KANADE, J.**

**DATED : 10th February 2006.**

**ORAL ORDER**

1. So far as Criminal Application No.7809 of 2005 is concerned, it is for restoration of Criminal Application No.6548 of 2005 which was dismissed for default on 18th October 2005. Heard the learned counsel appearing for the applicant and learned APP for the State. For the reasons stated in the application, Criminal

Application No.7809 of 2005 is allowed and Criminal Application No.6548 of 2005 is restored to file. Criminal Application No.7809 of 2005 is disposed of.

2. So far as Criminal Application No.6548 of 2005 is concerned, it is for bail. Heard the learned counsel appearing for the applicant and learned APP for the State. The applicant was arrested in connection with offence punishable under Section 395 of the Indian Penal Code which was registered at Ulhasnagar Police Station. Charge sheet has been filed. All other accused have been released on bail. The applicant is in jail since 28th November 2004. No person was injured in the alleged incident. The applicant was not carrying any weapon. Considering these circumstances, in my view, a case has been made out by the applicant for grant of bail. Therefore, the applicant is entitled to be released on bail. In the result, the applicant to be released on bail in the sum of Rs.5,000/- [Rupees Five Thousand only] with one or two sureties in the like amount. He shall report to Ulhasnagar Police Station once in a month. Application is disposed of accordingly.

[V.M.KANADE,J]